

AMENDMENT SHEET

**Planning Committee
25 July 2019**

AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED

7.1 172049 – Land west of Chitts Hill, Stanway

Following the Planning Committee meeting on 4th July 2019, the Applicant has submitted some further/revised information for consideration.

- Drawings to show a suggested revision to move the site access approximately 17 metres further south:
 - Proposed Site Access Layout 001 Rev F
 - Landscape Masterplan JBA 15/38-SK02
 - External Works Layout RP-002 F
 - Planning Layout RP-003 F
 - Proposed Materials Plan RP-004 E
 - Street Elevations RP-005 D
 - Cross Sections RP-006 C
- A 'Railway Level Crossing Comparative Analysis' providing examples of development in close proximity to railway crossings.
- WYG Environment Planning Transport Limited 'Transport Technical Note 03'. The technical note is available to view on the Council website, its content is summarised as follows:

5.0 Summary

- 5.1.1 Following the planning committee meeting in early July 2019 discussing Hopkins Homes' application for 100 residential dwellings on land off Chitts Hill in Stanway, Hopkins Homes propose to relocate the proposed vehicular access to the site further south along Chitts Hill away from the level crossing.
 - 5.1.2 The revised access proposal continues to satisfy both local highway design guidance and required visibility splays.
 - 5.1.3 A review of the operation of the Chitts Hill level crossing has not indicated any highway safety issues and there is no evidence that the introduction of the proposed development would worsen the highway safety situation.
 - 5.1.4 Notwithstanding, it is considered that relocating the proposed site access further away from the level crossing will reduce the likelihood of interaction between the site access and potential queues from the level crossing barrier being closed.
 - 5.1.5 Over the duration of a weeklong survey there were 15 recorded instances (no more than four on any given day) where queues would be long enough to interact with the proposed site access. The recorded average queue length on the northbound approach to the level crossing was three vehicles or approximately 20m.
 - 5.1.6 A review of other working schemes around the country where new development accesses have been implemented in reasonable proximity to level crossings all yield similar results, where little or no impact on highway safety of the operation of the level crossing is recorded.
 - 5.1.7 There are an abundance of locations throughout the UK where development accesses are located closer to level crossings than the proposed Chitts Hill scheme access. Some of these examples encounter more rail traffic and others more road traffic, but the common theme is that the majority of them operate safely and therefore the level crossing at Chitts Hill should not be a deterrent for development.
- The Applicant has issued a letter to Committee Members, summarised as follows:
 - The emerging Local Plan proposes development from 2017. The planning application was submitted in 2017 and the first home would not be due to be built on site until November 2020. Paragraph 49 of the NPPF states that 'arguments that an application is premature are unlikely to justify a refusal of planning permission.'
 - Reassurance that the planning application is in full accordance with Local Plan Policy. Other North Essex Authorities (sharing the same Local Plan Examination process) have already approved a number of allocated sites which are yet to be formally adopted (i.e. 115 dwellings in Brightlingsea, an Emerging Local Plan site granted planning permission in August 2018, currently under construction).
 - Local Plan Examiners routinely ask what steps are being taken to deliver the site and it is for this reason that developers may be in a position to submit a planning application in advance of the adoption of a Local Plan.

- With regards to rail safety, an extensive transport assessment and full safety audit has been carried out. Notwithstanding the clear technical evidence, a proposed revision to the access can be submitted which maximises its distance from the level crossing. The Highway Consultant WYG has also submitted a technical note.
- There are numerous homes, businesses and proposed developments which can be in proximity to level crossings which are designed to be safe, irrespective of the changing environment around them. A comparative analysis document has been submitted.
- Confirmation that Hopkins Homes will lodge an appeal if the application is refused. The preference is to work with Officers and Members to achieve a local decision.
- Concern is the prospect of speculative developments on other sites being given the 'green light' if a planning application for a proposed allocation site were rejected. The 100 homes in this application already appear in 'your' Housing Land Supply. To refuse planning permission after two years of work would penalise Hopkins Homes for respecting the Local Plan while other applicants successfully pursue their proposals more aggressively in conflict with the Local Plan arguing that necessary development is not being delivered.

A consultation response has been received from **Network Rail** as follows:

Due to the proximity of the Chitts Hill Level Crossing to the proposal, Network Rail would like to highlight current traffic issues at the level crossing. Although the proposal may add to traffic at the level crossing, Chitts Hill is a "Manned Barriers CCTV Monitored" type crossing which is one of the safest types of crossing. Therefore we have no objection to the proposed development and will not be seeking any additional mitigation measures at this site.

Network Rail would also like to highlight they are in favour of the revised access over the original design, with the new access located approximately 90 metres from the crossing.